

***[NO MINUTES WERE GENERATED FOR
THURSDAY, JANUARY 1, 2009,
IN OBSERVANCE OF NEW YEAR'S HOLIDAY.]***

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**SUPREME COURT MINUTES
FRIDAY, JANUARY 2, 2009
SAN FRANCISCO, CALIFORNIA**

S167644 F055752 Fifth Appellate District **MARTIN (IVY) ON H.C.**
The time for granting or denying review in the above-entitled matter is hereby extended to February 3, 2009.

S029551 **PEOPLE v. JOHNSON (JOE EDWARD)**

Extension of time granted
Good cause appearing, and based upon Supervising Deputy State Public Defender Kent Barkhurst's representation that he anticipates filing the appellant's opening brief by May 2009, counsel's request for an extension of time in which to file that brief is granted to February 20, 2009. After that date, only two further extensions totaling about 90 additional days are contemplated.

S030402 **PEOPLE v. TULLY
(RICHARD CHRISTOPHER)**

Extension of time granted
Good cause appearing, and based upon counsel James S. Thomson's representation that he anticipates filing the appellant's reply brief by April 30, 2009, counsel's request for an extension of time in which to file that brief is granted to March 2, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

S045423 **PEOPLE v. SANCHEZ-
FUENTES (EDGARDO)**

Extension of time granted
Good cause appearing, and based upon Deputy State Public Defender Sara Theiss's representation that she anticipates filing the appellant's opening brief by March 2010, counsel's request for an extension of time in which to file that brief is granted to March 6, 2009. After that date, only six further extensions totaling about 360 additional days will be granted.

S058734**PEOPLE v. HOLMES (KARL
DARNELL), MCCLAIN
(HERBERT CHARLES), &
NEWBORN (LORENZO)**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Deborah J. Chuang's representation that she anticipates filing the respondent's brief by April 30, 2009, counsel's request for an extension of time in which to file that brief is granted to February 27, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

S070250**PEOPLE v. JOHNSON
(MICHAEL RAYMOND)**

Extension of time granted

Good cause appearing, and based upon counsel Anthony J. Dain's representation that he anticipates filing the opposition to respondent's motion to strike from the appellate record the reporter's and clerk's transcripts of the contempt action against Deputy District Attorney Maeve Fox and Matthew Hardy by February 27, 2009, counsel's request for an extension of time in which to file that brief is granted to February 27, 2009. After that date, no further extension is contemplated.

S077524**PEOPLE v. SALAZAR
(MAGDALENO)**

Extension of time granted

Good cause appearing, and based upon Deputy State Public Defender Ellen J. Eggers's representation that she anticipates filing the appellant's opening brief by July 3, 2009, counsel's request for an extension of time in which to file that brief is granted to March 6, 2009. After that date, only two further extensions totaling about 120 additional days are contemplated.

S087569**PEOPLE v. SANCHEZ (JUAN)**

Extension of time granted

On application of appellant and good cause appearing, it is ordered that the time to serve and file appellant's opening brief is extended to March 6, 2009.

S093803**PEOPLE v. SEUMANU
(ROPATI)**

Extension of time granted

Good cause appearing, and based upon counsel Mark D. Greenberg's representation that he anticipates filing the appellant's reply brief by April 2009, counsel's request for an extension of time in which to file that brief is granted to March 2, 2009. After that date, only one further extension totaling about 30 additional days is contemplated.

S102166**PEOPLE v. SIMON
(RICHARD NATHAN)**

Extension of time granted

Good cause appearing, and based upon counsel Kimberly J. Grove's representation that she anticipates filing the appellant's opening brief by March 31, 2009, counsel's request for an extension of time in which to file that brief is granted to March 2, 2009. After that date, only one further extension totaling about 30 additional days is contemplated.

S130263**GAY (KENNETH EARL) ON
H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Lance E. Winters's representation that he anticipates filing the return to the order to show cause by January 29, 2009, counsel's request for an extension of time in which to file that brief is granted to January 29, 2009. After that date, no further extension is contemplated.

S153780**CARTER (DEAN PHILLIP)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Federal Public Defender Brad D. Levenson's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by April 24, 2009, counsel's request for an extension of time in which to file that brief is granted to February 20, 2009. After that date, only one further extension totaling about 60 additional days is contemplated.

S162212**ERVINE (DENNIS NEWTON)
ON H.C.**

Extension of time granted

Good cause appearing, and based upon Deputy Attorney General Laura Wetzel Simpton's representation that she anticipates filing the informal response to the petition for writ of habeas corpus by February 8, 2009, counsel's request for an extension of time in which to file that brief is granted to February 9, 2009. After that date, no further extension is contemplated.

S163811

B195197 Second Appellate District, Div. 5

**PEOPLE v. CONCHA
(REYAS)**

Extension of time granted

On application of appellant Reyas Conchas and good cause appearing, it is ordered that the time to serve and file the reply brief on the merits is extended to January 12, 2009.

S163977**WILLIAMS (DEXTER
WINFRED) ON H.C.**

Extension of time granted

Good cause appearing, and based upon counsel Chuck Nacsin's representation that he anticipates filing the reply to the informal response to the petition for writ of habeas corpus by July 22, 2009, counsel's request for an extension of time in which to file that document is granted to February 23, 2009. After that date, only three further extensions totaling about 150 additional days are contemplated.

S169255

B201702 Second Appellate District, Div. 7

PEOPLE v. CLAY (DENNIS)

Order filed

The time for granting review on the court's own motion is hereby extended to February 4, 2009. (Cal. Rules of Court, rule 8.512(c).)

S169100**FOSTER (KENNETH) v. S.C.
(PEOPLE)**

Transferred to Court of Appeal, Second Appellate District

The above entitled matter is transferred to the Court of Appeal, Second Appellate District, for consideration in light of *Hagan v. Superior Court* (1962) 57 Cal.2d 767. In the event the Court of Appeal determines that this petition is substantially identical to a prior petition, the repetitious petition must be denied.